

Docket No.: 337924US59SD

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: : EXAMINER: ROBINSON, B.  
TOSHIHARU OHTA, ET AL : GROUP ART UNIT: 1625  
SERIAL NO.: 10/773,344 : U.S. PATENT NO.: 7,342,014  
FILED: FEBRUARY 9, 2004 : ISSUED: MARCH 11, 2008  
FOR: DIAMINE DERIVATIVES

PETITION UNDER 37 C.F.R. §1.183

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Petitioners hereby request that the Director suspend the rules and consider their Petition Under 37 C.F.R. §1.705(d) and Request for Reconsideration of Patent Term Adjustment **submitted herewith.**

When the patent term adjustment finally calculated by the Office is incorrect, patentees have two mechanisms by which to challenge the patent term adjustment. These two mechanisms are:

- 1) 37 CFR §1.705(d) - (e) relate to Requests for Reconsideration of the USPTO-determined patent term adjustment. 37 CFR §1.705(d) - (e) are reproduced below (*with emphasis added*):

(d) If there is a revision to the patent term adjustment indicated in the notice of allowance, the patent will indicate the revised patent term adjustment. If the patent indicates or should have indicated a revised patent term adjustment, any request for reconsideration of the patent term adjustment indicated in the patent must be filed ***within two months of the date the patent issued*** and must comply with the requirements of paragraphs (b)(1)

03/29/2010 CKHL0K 00000018 150030 10773344

01 FC:1462 270.00 DA 130.00 OP

Adjustment date: 03/29/2010 CKHL0K  
02/03/2009 INTRSW 00000057 10773344  
01 FC:1464

-130.00 OP